

Registered No. P. 97

रजिस्टर्ड नं० पी० ९७



राजपत्र, हिमाचल प्रदेश

(असाधारण)

हिमाचल प्रदेश शासन द्वारा प्रकाशित

शिमला, बोरवार, 18 फरवरी, 1960/29 मार्च, 1881

HIMACHAL PRADESH ADMINISTRATION

AGRICULTURE DEPARTMENT

NOTIFICATION

Simla-4, the 16th January, 1960/26th Pausa, 1881

No. Agr. 1-175/59.—In exercise of the powers conferred upon him under section 29 of 'The Himachal Pradesh Land Development Act, 1954 (Act No. XII of 1954)', the Lieutenant Governor, Himachal Pradesh, is pleased to enforce the following Rules for carrying out the purpose of this Act from the date of issue of this Notification.

THE HIMACHAL PRADESH LAND DEVELOPMENT RULES

(Rules for carrying out the purpose of the Himachal Pradesh Land Development Act, 1954 (Act No. XII of 1954))

1. *Short title and commencement.*—(i) These rules may be called the Himachal Pradesh Land Development Rules.

(ii) These rules shall come into force with effect from such date as may be determined by the Administration by notification in the official Gazette and shall be promulgated under section 29, of the Act by means of a notification.

2. *Definitions.*—In these rules unless there is anything repugnant in the subject or context:

(i) "Administration" means the Lieutenant Governor of Himachal Pradesh.

- (ii) "Act" means the Himachal Pradesh Land Development Act, 1954 (Act No. XII of 1954).
- (iii) "Land Development Officer" means the Land Development Officer, Himachal Pradesh or in his absence any other person acting or officiating in his place.
- (iv) "Inquiry Officer" means an officer appointed by the Administration for conducting an enquiry under these rules.
- (v) "Scheme" means a Land Development Scheme prescribed under the Land Development Act.
- (vi) "Secretary" means the Secretary of the Board.
- (vii) "Chairman" means the chairman of the Board.
- (viii) "Member(s)" means member(s) of the Land Development Board.
- (ix) "Beneficiary" means a person, persons, or corporate body drawing direct or indirect benefit from a Scheme.
- (x) "Land Development Commissioner" means Land Development Commissioner, Himachal Pradesh or in his absence any other person acting or officiating in his place.

3. *Payment of Travelling Allowance to the Members; Conduct of business by the Board and procedure to be followed at the meetings of the Board.*—(i) *Notice for convening a meeting*:—Any member may make in writing, a request to the Chairman for convening a meeting of the Board stating clearly the purpose for which such a meeting is necessary. The Chairman will consider the request and in the event of his deciding not to convene a meeting, shall convey the reasons for his not doing so, to the member concerned.

(ii) *Order for convening a meeting*.—The Chairman may, at the request of a member or at his own discretion, order the Secretary in writing to convene a meeting.

(iii) *Period of notice for holding a meeting*.—10 days' clear notice shall be given to the members in respect of a meeting of the Board.

(iv) *Proof of delivery of notice*.—A notice issued for purposes of clauses (i), (ii), (iii), above and posted under a certificate of posting shall be considered as a sufficient proof for the notice having been delivered to the addressee and no plea for non-receipt of the notice actually by him shall be tenable.

(v) *Form of notice of meeting to the members and agenda*.—The notice shall be issued in the form prescribed under Appendix 'A' and shall be invariably accompanied by the Agenda of the meeting.

(vi) *Quorum*.—The presence of a minimum of any three members shall form a quorum to hold a meeting and transact business.

(vii) *Performance of the duties of Chairman in the absence of the Chairman*.—In the absence of the Chairman the member nominated by him in writing shall function as the Chairman of the meeting.

(viii) *Record of proceedings*.—The record of proceedings of the meeting and the business transacted shall be maintained in a proceeding book by the Secretary.

(ix) *Recording the presence of the members in a particular meeting and particulars of place and time of the meeting*.—Before the commencement of the meeting the Chairman, the members and any other person present in the meeting by special invitation shall sign the proceeding book in token of their presence.

The time, date and place of meeting shall also be recorded in the proceeding book at the top.

(x) *Presence by proxy.*—Presence of any member by proxy shall not be permissible.

(xi) *Confirmation of the proceedings of the last meeting.*—Before transacting any new business the proceedings of the last meeting shall be read out and confirmation thereof recorded and signed by the members present in token thereof with or without amendment. Should any member feel that there is any deviation from the actual decisions taken in the recorded proceedings he may point it out and the proceedings may or may not be amended accordingly, in accordance with the decision of the Board.

(xii) *Mode of voting.*—Voting shall always be done by show of hands whenever necessary.

(xiii) *Vote of dissension to be recorded.*—A vote of dissension shall always be recorded in the proceedings on any business transacted, giving the name and views of the dissenting member.

(xiv) *Voting by proxy.*—Voting by proxy shall not be permissible.

(xv) *Each member to carry one vote.*—Each member shall carry only one vote at a time.

(xvi) *Presence of non-members by special invitation.*—The Chairman may request any person to attend to meeting by special invitation but such person shall not have the right to vote.

(xvii) *Payment of T.A. to members.*—The non-official members of the Board shall be paid T.A. for attending the meetings of the Board at the rates at which it is admissible under the Travelling Allowance Rules to the officers of Grade II working under the Administration and drawing a monthly pay of Rs. 500 p.m. The official members shall be entitled to T.A. at the rates at which it is admissible to them according to their pay and official status from their respective departments.

4. *Procedure to be followed for the preparation of the Schemes.*—(i) The Chairman may authorise in writing the Land Development Officer or any other officer of the Departments of Agriculture, Forest or Public Works of Himachal Pradesh to prepare any scheme under the Act.

(ii) A Scheme may be prepared by the Officer authorised in this behalf or on his behalf by any member of his staff on receipt of an application from an owner or owners or tenants of any land or even without receipt of any application in respect of any land, for consideration of the Board.

(iii) The application will be received in the form prescribed in Appendix 'B'.

(iv) The Land Development Officer or any other authorised officer or any member of his staff shall have the right to take soil samples, dig pits for study of soil profiles and soil characteristics, take photographs, survey or take measurements and do any other operation that may be considered necessary for the preparation of any scheme under the Act without having to pay any compensation.

(v) On the basis of the information and data collected for the operations mentioned in clause (iv) above the Land Development Officer or any authorised person in his behalf shall prepare Scheme(s) consistent with the requirements of section 4 (2) of the Act and transmit a copy of the scheme(s) to the Secretary for consideration by the Board.

(vi) The schemes, as approved by the Board shall be transmitted by the Secretary on behalf of the Board to the Administration.

(vii) The Schemes shall be prepared by the Board in the form attached at Appendix 'C'.

(viii) Estimates for the cost of Engineering works shall be prepared on the basis of schedule of rates currently in force in Himachal Pradesh, Public Works Department.

5. *Procedure to be followed by the Inquiry Officer and the manner of publication of Scheme under section 5 of the Act.*—(i) The Administration or any officer authorised on their behalf shall, on receipt of the Scheme, cause a notice to be issued within 10 days to the person(s) affected and the Gram Panchayat concerned through its Secretary, in writing to the effect that the details of the Scheme can be seen in the office of the Agricultural Inspector (Soil Conservation) concerned till a certain date or the dates and time specified and specify the date by which any suggestion to amend or improve the Scheme may be made in writing to the Land Development Commissioner, Himachal Pradesh. The failure of the Administration to publish the scheme or issue notice within the prescribed period will not in any way render the Scheme or its operation defective. The notice shall be issued in the form as per Appendix 'D' and a copy of the notice shall also be published in the official *Gazette* of the Administration.

(ii) Normally a copy of the Scheme shall be displayed outside the office of the Agricultural Inspector (Soil Conservation) concerned and shall be made available for inspection to any of the person(s) concerned.

(iii) The fact of the notice having been posted under Regd. Cover will be considered as a sufficient proof of its having been delivered to the addressee and any plea by any of the affected person(s) about the non-receipt of the notice or its late receipt shall not be tenable.

(iv) A minimum period of 30 days from the date of posting of the notice shall be allowed for putting in the objections or suggestions by the affected person(s).

(v) No person or panchayat other than the one affected shall have the right to put in any suggestion for the amendment of the Scheme.

(vi) The Panchayat concerned shall put in the suggestions, if any, within the prescribed time only through its Secretary.

(vii) No suggestions made or received in the office of the Land Development Commissioner after the prescribed date and time shall be tenable.

(viii) The Administration shall appoint an Inquiry Officer in respect of Scheme only if any amendment is suggested by any person or panchayat affected by the Scheme.

(ix) The publication of the scheme or issue of notice to the persons affected and appointment of Inquiry Officer shall not be necessary where an application is made by the person(s) affected of himself/themselves and has/have agreed in writing to bear his/their share of cost fixed by the competent authority in executing the scheme sanctioned by the State Government under section 5 (2) of the Act and shall be considered by the State Government for sanction as such, with modification or rejection.

(x) While making the suggestions, the person(s) affected must clearly mention the particulars of the Scheme as published by the Administration giving the Scheme Number, name of the Scheme, and the district without which the suggestions shall not be considered.

(xi) On receipt of suggestions, if any, regarding any particular scheme, a copy of the suggestions, along with a copy of the Scheme shall be passed on by the Land Development Commissioner to the Administration for further action.

(xii) The Administration shall, on receipt of suggestions in respect of a

particular scheme, appoint an Inquiry Officer by a notification to be published in the Official Gazette, a copy of which notification shall be sent to the person appointed as Inquiry Officer and also to the person or panchayat making the suggestions for the amendment of the scheme.

(xiii) The mere fact of a copy of the notification mentioned in clause 12 above having been posted under certificate of posting shall be considered a sufficient proof of its having been delivered to the addressee. No objection shall lie at any stage regarding its late receipt or non-delivery.

(xiv) The Inquiry Officer shall make on the spot study of the scheme and the suggestions made and send his report within 15 days of his appointment, to the Administration.

(xv) It shall not be obligatory on the part of the Inquiry Officer to consult either the person or persons or the panchayat affected or any of the officers, preparing the scheme or contributing to their preparation while conducting the inquiry or giving his report. He may, however, consult any of them at his own discretion.

(xvi) Only an officer of the Departments of Agriculture, Forest or Public Works of the Administration, properly trained in Soil and Water Conservation and not junior to the rank of the Land Development Officer shall be appointed as an Inquiry Officer by the Administration.

(xvii) Before the passing of final orders under sub-section (2) of section 5 of the Act, on a scheme prepared under section 4 of the said Act the State Government may consult the Land Utilization Board of Himachal Pradesh, if any, such Board be in existence.

(xviii) It shall not be obligatory on the Administration to convey to the person(s) or the panchayat affected or concerned the decision taken by it on any scheme before its publication under section 6 of the Act.

(xix) The sanction of the State Government to a particular scheme shall, however, be published in the Official Gazette.

6. *Procedure for the publication of the sanctioned schemes under section 6 of the Act.*—(i) The scheme as sanctioned by the State Government shall be displayed specifying the date from which it shall come into force, under the signatures of the Land Development Commissioner in the Office of the Agricultural Inspector (Soil Conservation) concerned and the Land Development Officer for the information and inspection of the persons affected. A copy of the scheme in respect of which objections or suggestions were received shall also be sent to the Gram Panchayat concerned through its Secretary under Registered Cover for the inspection and information of the person(s) affected.

(ii) As soon as a scheme is published in the manner prescribed in clause (i) above, the Land Development Commissioner will issue a notice to the person(s) affected in the prescribed form as per Appendix 'E' specifying the sanction of State Government, the name of the Gram Panchayat to which a copy of the sanction has been sent for inspection and the Government offices in which a copy of the sanctioned scheme may be available for inspection to intimate if they want to undertake the execution of the scheme themselves under section 10 (1) of the Act failing which the work will be carried out by him under section 13 of the Act. It will also be specified in the notice as to what proportion of the total cost will be chargeable from him and to what it would approximately amount. In the case of voluntary applicants, however, the issue of such notice shall not be necessary.

7. *Publication of regulation made by the Board under section 7 of the Act.*—Any regulation made by the Board under section 7 of the Act in addition to being

published in the *Official Gazette*, copies thereof shall also be made available on payment to the general public.

8. *Principles on which the amounts of contribution are to be determined by the Board under sub-section(4) of section 10 or section 11.*—Under sub-section (4) of section 10 the amount of contribution shall be decided on the basis of proportionate share on total cost according to the area of each owner involved in the scheme provided that the cost on areas under cultivation and those not under cultivation shall be worked out separately and the proportionate expenditure on the areas held by the owners in the two classes shall also be worked out separately provided further that any remission or subsidy on the total cost granted by the Administration or from any other source shall be deducted from the total cost before working out the proportionate amount payable by each owner.

(ii) When benefits other than those to a cultivated or uncultivated land accrue to a person, persons, a corporate body the share of the total cost to be borne by the person, persons or a corporate body shall be determined and fixed by the Board on the merit of each case and decision of the Board shall be binding on the beneficiary or beneficiaries.

(iii) Should the works be carried out mechanically by tractors, bulldozers or other power operated machinery the cost will also include the depreciation on the machinery besides the operational cost on hourly basis including the wages of the driver.

(iv) No establishment charge or charge for technical advice shall be included in the cost of works.

(v) The actual cost of green manuring seeds or fertilizers recommended in the scheme for building up the fertility of the soil shall be accounted for while working out the cost of the scheme.

(vi) The cost of works shall be worked out separately for the land treated in each village in a sub-catchment and not collectively for the entire sub-catchment.

(vii) When a certain piece of land belonging to an absentee landlord is cultivated by a non-occupancy tenant the cost of works on land shall be chargeable to the landlord and the tenant in the proportion of the share of each in the produce as fixed under the law. If in any case the landlord or tenant sells or alienates his rights in such land after the completion of work and assessment of the cost of work payable by him, the amount recoverable on account of the execution of the scheme shall be chargeable from the person taking over the rights of the land.

(viii) The species of grasses or trees decided to be grown as part of any scheme(s) except fruit trees shall be supplied free of cost by the Administration subject to their availability and the cost thereof shall not be included while assessing the total cost of the scheme(s).

9. *Statement and map showing details of work under section 14 of the Act.*—(i) The statement shall indicate the dimensions of the slopes of the channels, drains, drop-pits and any other works done in execution of the scheme in the form prescribed *vide* Appendix 'C' which shall be required to be maintained by the owner(s) tenant(s) and the species of grasses or trees required to be grown and maintained as a part of the scheme.

(ii) The map shall show the plan of the fields as prepared under the scheme, the position of the drains, channels, drop-pits or any other structures raised as a part of the scheme and the areas to be kept under grasses or trees, specifying also the scale used.

10. *Order for affecting repairs to and maintenance of works and plantations under section 15 of the Act.*—(i) Should it be felt that any works or plantations are not being maintained as prescribed in the statement prepared under section 14 of the Act, the Land Development Commissioner shall issue an order to the person(s) affected in the form prescribed under Appendix 'F' to carry out the necessary repairs and maintenance thereof in the manner prescribed within a prescribed period failing which the repairs and maintenance of work shall be executed through an agency considered suitable for the purpose by the Land Development Commissioner.

(ii) The order stated above shall be issued under Registered cover.

11. *Notice of entry under section 16 (i) of the Act.*—(i) Any member, officer, subordinate or workman of the Board authorised by the Land Development Commissioner shall issue notice to the owner of the land in the form appearing at Appendix 'G'.

(ii) A notice issued under certificate of posting under this rule shall be considered as a sufficient proof of its having been delivered to the addressee and no plea regarding non-receipt or late receipt of the notice shall be tenable.

(iii) The notice shall be issued at least a week in advance of the date of entry upon the land.

(iv) The Administration shall, by a notification in the Official Gazette specify the persons to be considered as officers, subordinates or workmen of the Board under section 16 of the Act.

12. *Appeals under section 17 of the Act.*—(i) Any person feeling aggrieved as specified under section 17 of the Act may prefer an appeal within a period of not more than 30 days of receipt of intimation by him.

(ii) All appeals shall be made to and decided by the Financial Commissioner, Himachal Pradesh.

(iii) A court fee of Rs. 2.00 shall be paid on each appeal preferred under this rule without which no appeal shall be entertainable.

(iv) The appeals may be made by any of the affected person(s) personally or through a duly authorised attorney.

(v) Any appeal received by the Appellate authority after the due date shall not be entertained.

13. *Order for taking over the possession of land under section 20 (2) of the Act.*—(i) The Board shall issue directions to the Land Development Commissioner in the form prescribed under Appendix 'H' and publish it in the official Gazette for the information of the owner(s) of the said land and the Land Development Commissioner.

(ii) A copy of the order shall be endorsed to the Collector of the District concerned for entry in the Revenue Records regarding transfer of possession.

14. *Manner of inquiry under section 23 of the Act.*—(i) The Land Development Commissioner, shall conduct inquiry through any officer of the Agriculture, Public Works or the Forest Department of Himachal Pradesh properly trained in Soil Conservation but not inferior to the rank of the Land Development Officer duly authorised by him in writing and notified in the Official Gazette.

(ii) The officer authorised under rule 14 (i) above shall make a report after actual inspection of areas under inquiry and make a definite recommendation as to whether the area has been properly reclaimed or not and whether the possession of the land in question should be restored to the owner or his successor or it should remain for sometime more in the possession of the Land

Development Commissioner and if so, for what period; provided that his recommendation for retention of possession shall not exceed a total period of 10 years as provided under section 21 of the Act.

(iii) The possession of the land under consideration shall be declared to be restored by the Land Development Commissioner only if as a result of an inquiry by an authorised officer it is clearly recommended by the inquiry officer that the possession of area under report should be restored. In cases where the maximum period of 10 years of temporary possession as provided in the Act is due to expire, the question of referring such cases to an Inquiry Officer will not arise. In such cases the Land Development Commissioner shall himself restore the land.

(iv) The Land Development Commissioner shall declare the possession of any area under his temporary possession as restored with effect from a certain date to its owner(s) in the form prescribed under Appendix 'I'.

(v) The declaration of the restoration of the possession of any land made by the Land Development Commissioner shall be published in the Official *Gazette* for the information of its owner(s).

(vi) A copy of the order published in the *Gazette* shall also be endorsed to the Deputy Commissioner of the District concerned for entry in the Revenue Records regarding transfer of possession of the land.

15. *Manner of inquiry under section 24 of the Act.*—(i) The Land Development Commissioner shall appoint an Inquiry Officer by a proper notification in the Official *Gazette* in respect of any land under inquiry which shall be mentioned in the notification.

(ii) The Inquiry Officer shall be a Revenue Officer not below the rank of the Revenue Assistant.

(iii) The Inquiry Officer shall determine the annual rent payable and the average net annual income in respect of any land under inquiry in consultation with the local representative of the Agriculture Department not below the rank of a District Agricultural Officer, if it is cultivated or grass land, and the local representative of Forest Department not below the rank of a Divisional Forest Officer if it is a forest land, and obtain their recommendations in writing.

(iv) The Inquiry Officer shall, after consulting the respective officer of the department concerned in respect of any land which, on the date of taking over, was in the occupation of a tenant, determine, (a) the amount payable annually to the landlord under sub-section (1) of section 24, (b) the amount payable annually to the tenant under sub-section (ii) of section 24 or, in respect of any other land, the amount payable to the owner(s) under sub-section (b) of section 24, and convey it to the Land Development Commissioner.

(v) The Land Development Commissioner shall, while appointing an Inquiry Officer, determine the date by which the inquiry shall be completed and recommendations of the Inquiry Officer sent to him provided that the total period between the appointment of an Inquiry Officer and submission of his recommendations shall not exceed one month.

(vi) The Land Development Commissioner shall, on receipt of the report of the Inquiry Officer inform the person(s) effected by the report, in writing of his decision on the rate of compensation payable to them.

(vii) The information as required under (vi) above shall be sent under Registered Cover.

16. *Form of method of maintaining accounts under section 26 of the Act.*—(i) The account in respect of every land taken over by the Land Development Commissioner shall be maintained separately for each owner in the ledger form given in Appendix 'J' of these rules.

(ii) Each entry in the ledger account shall be supported by a proof of payment or receipt.

17. *The rate of interest and method of its calculation under sub-section (1) of section 26 of the Act.*—(i) Interest shall be chargeable at the rate fixed by the Government of India under the scheme under which loans are sanctioned for reclamation or development of lands and spent on reclamation of a particular piece of land or failing that the rate fixed by the Government of India for *taccavi* loans under the Agriculturists Loans Act, 1884 as applicable to Himachal Pradesh for the specific period during which expenditure was incurred on a particular piece of land.

(ii) Interest shall be calculated in the manner specifically prescribed by the Government of India for the scheme from which expenditure is met on reclamation of a particular piece of land or failing that in the same manner in which it is calculated for *taccavi* loans granted under Agriculturists Loans Act, 1884 as applicable to Himachal Pradesh.

18. *Appeals under section 27 of the Act.*—(i) Any person feeling aggrieved as specified under section 27 of the Act may prefer an appeal within a period of not more than 30 days of receipt of intimation by him.

(ii) All appeals shall be made to and decided by the State Government.

(iii) A court fee of Rs. 2.00 shall be paid on each appeal preferred under this Rule without which no appeal shall be entertainable.

(iv) The appeals may be made by any of the affected person(s) personally or through a duly authorised attorney.

(v) Any appeal received by the Appellate Authority after the due date shall not be entertained.

19. *Issue of orders by the Chairman/Land Development Commissioner.*—The Chairman/Land Development Commissioner may issue orders on any case in execution of the spirit of the Act and the Rules framed under the Act subject to confirmation by the Board subsequently.

APPENDIX 'A'

Form of Notice of meeting of the Land Development Board, Himachal Pradesh to be sent to the Members

(UNDER POSTAL CERTIFICATE)

(Name of the place of issue).....

(Date)

A meeting of the Land Development Board, Himachal Pradesh will be held on (day of the week)..... the (Date)..... at (Time)..... in the (place of meeting)..... under the chairmanship of the Land Development Commissioner, Himachal Pradesh.

You are requested to make it convenient to attend the meeting. The agenda for the meeting is enclosed.

*Secretary Land Development Board,
Himachal Pradesh.*

To

Shri

APPENDIX 'B'

Form of Application from the Farmer(s) for undertaking Soil Conservation Measures on his/their lands

To

The Chairman,
Land Development Board,
(Land Development Commissioner),
Himachal Pradesh, Simla-4.

Sir,

I/We.....S/o
owners/tenants of survey field numbers attached/given on reverse of Revenue
Village..... Patwar Circle.....
Kanungo Circle..... Panchayat.....
Tehsil..... District..... do hereby
request that Soil Conservation works and measures in my/our lands may be
planned and executed through the Department or by any other agency convenient
to the Department, as I/we am/are not able to execute the works myself/our-
selves.

The Scheme for Soil Conservation measures and works and estimates of
cost as prepared by you and actual cost as incurred shall be acceptable to me/us,
and I/We agree to be bound by all provisions of the Himachal Pradesh Land
Development Act, 1959 and the Rules made thereunder and the orders issued
by the Land Development Board, Himachal Pradesh as well as by the Land
Development Commissioner, Himachal Pradesh under the provisions of the
aforesaid Act and the Rules.

I/We further undertake to properly maintain the Soil Conservation works
executed in my/our lands and to plant grasses on the front faces of the terraces
and the sides and beds of the disposal and diversion drains, and trees and
grasses at other places as required under the scheme.

I/We further agree that the arrears of instalments payable for the actual
cost of Soil Conservation measures and works will be the first charge on the
land.

Signature of applicant(s).

APPENDIX 'C'

Proforma for the preparation of Land Development Scheme under the Himachal Pradesh Land Development rules [See Rule 4 (vii)]

- (1) No. of the Scheme.....
- (2) Name of the Scheme.....
- (3) Name of the village(s) to which the Scheme pertains or affected by the Scheme..... P.O.....
- (4) Patwar Circle.....
- (5) Kanungo Circle.....
- (5) Panchayat
- (7) Object of the Scheme.....
- (8) Agency of execution of the Scheme.....
- (9) Details of the cultivated area affected by the Scheme.....
 1. Name of village.....
 2. Khatauni No.....

3. Khasra No.....
4. Name of the Proprietor.....
5. Name of the tenant, if any.....
6. Status of the tenant.....
7. Area.....
8. Estimated cost of Development after deducting the subsidy.

(10) *Details of the Forest area affected by the Scheme —*

<i>Khatauni and Khasra Nos. or compartment No. if any.</i>	<i>Particulars of the forest</i>	<i>Area</i>	<i>Proportionate cost of the Scheme after deducting the subsidy.</i>
(i)	Government Forests without rights (Protected, Demarcated and reserve).		
(ii)	Government Forests with rights (Undemarcated and others).		
(iii)	Government grass lands with grazing rights.		
(iv)	Private Forests owner-wise.		
(v)	Panchayat Forests.		
<i>Note.—Usually for Government Forests without rights (Protected and Demarcated) separate estimate will be prepared.</i>			

(11) *Details of the works to be carried out in the cultivated lands and private grass lands:—*

(a) *Engineering or mechanical measures:—*

- (i) Description.
- (ii) Estimate of works.
- (iii) Abstract of estimated cost.
- (iv) Necessary drawings showing specifications of the work.

(b) *Vegetative measures:—*

- (i) Description.
- (ii) Estimate of works.
- (iii) Abstract of estimate of cost.

(c) *Aggronomic measures:—*

- (i) Description.
- (ii) Abstract of estimates of measures.
- (iii) Abstract of estimates of cost.

(d) *Total Estimated cost:—*

Amount of subsidy to be paid by the Govt. at the rate of Rs. % =Rs.
Balance payable by the beneficiaries =Rs.

(12) *Instructions to be followed after the execution of the scheme regarding maintenance of works and conservation of Soil in cultivated lands and private grass lands.*

(13) *Details of work and measures to be carried out in the forest lands and Government grass lands.*

(a) *General.*

(b) *Engineering or mechanical measures.—*

- (i) Specification of works.
- (ii) Estimates of works.
- (iii) Abstract of estimated cost.
- (iv) Necessary drawings.

(c) *Vegetative measures.*—

- (i) Specifications of works.
- (ii) Estimates of works.
- (iii) Abstract of estimate of cost.

(d) *Total estimated cost.*—

Amount of subsidy to be paid by the Government =Rs.
at the rate of % of the cost.

Balance payable by the beneficiaries =Rs.

- (e) Instructions to be followed after the execution of the Scheme regarding maintenance of works and conservation of forest lands and Government grass lands.

Instructions of the Board

The Board hereby directs that (1) the work to be carried out or remaining to be carried out on the lands mentioned in the scheme shall be carried out by the Land Development Commissioner through any agency authorised by him.

(2) per cent of the total actual cost shall be recovered from the beneficiaries as arrears of the land revenue in equal half yearly instalments of Rs each. The total cost, if any, in excess of the estimated cost and the interest chargeable on the total amount payable by the beneficiaries shall also be payable in similar instalments.

(3) The contravention of the provision of this scheme will be punishable with simple imprisonment for a term which may extend to one month or with fine which may extend to rupees two hundred or with both, as provided under section 9 (1) of the Act.

*Under Authority,
Land Development Commissioner,
Chairman,
Land Development Board,
Himachal Pradesh.*

APPENDIX 'D'

*Form of Notice to be issued by the Administration under Rule 5 (i) of the
Land Development Rules read with section 5 (b) of the Land
Development Act*

(UNDER REGISTERED POST)

From

.....

.....

To

.....

.....

.....

.....

Dear Sir/Madam,

Notice is hereby given under Rule 5 (i) of the Himachal Pradesh Land Development Rules read with section 5 (b) of the Himachal Pradesh Land Development Act, 1954 that the Land Development Board, Himachal Pradesh

has prepared a scheme for taking up Land Development Works in your land/lands falling within the jurisdiction of
Gram Panchayat.....
The details of this scheme can be seen in the office of the Agricultural Inspector (Soil Conservation) till.....
on working days during the working hours. Suggestions, if any desired to be made by you, may please be delivered in writing in the office of the Land Development Commissioner, Himachal Pradesh by the day of.....19 ,
whereafter no suggestions shall be entertainable.

Yours faithfully,

APPENDIX 'E'

Form of Notice under rule 6 (ii) of the Himachal Pradesh Land Development Rules

(UNDER POSTAL CERTIFICATE)

From

The Land Development Commissioner,
Himachal Pradesh, Simla.

To

Shri.....S/o
Village.....P.O.
District.....

Dated.....

Dear Sir/Madam,

Notice is hereby given under rule 6 (ii) of the Himachal Pradesh Land Development Rules that Scheme No..... for Land Development affecting your land bearing the following Khasra Nos. has been sanctioned by the State Government Himachal Pradesh vide No.....
Dated.....
.....
.....
.....

The copy of the said scheme is available with Agricultural Inspector (Soil Conservation),..... and the Land Development Officer, Himachal Pradesh, Simla-4, for inspection on working days during the working hours. A copy has also been supplied to the Secretary, Gram Panchayat..... You are requested to intimate if you want to undertake the execution of the scheme yourself under section 10 (1) of the Act failing which the work shall be carried out by me through any agency convenient to me and..... per cent of the actual total cost amounting approximately to Rs..... shall be recoverable from you as arrears of land revenue in equal instalments with..... per cent interest.

Yours faithfully,

Land Development Commissioner,
Himachal Pradesh, Simla.

APPENDIX 'F'

Form of Order under rule 10 read with section 15 of the Act

(UNDER REGISTERED POST)

No.

From

The Land Development Commissioner,
Himachal Pradesh, Simla.

To

Shri..... Village.....
P.O. District
(Himachal Pradesh)

Dated the..... 19

Dear Sir/Madam,

Having been felt that you are not repairing and maintaining the Land Development works and plantations in Khasra Nos.....
 Situated in village..... as mentioned in the
 Statement prepared under section 14 of the Himachal Pradesh Land Development Act, 1954 under Scheme No..... I hereby order
 you under section 15 of the said Act to undertake the necessary repairs to the
 works plantations within a period of..... days/
 months and maintain them properly failing which they shall be undertaken
 by the undersigned at your cost through any agency as may be convenient to me
 and the cost incurred thereon shall be recoverable as arrears of land revenue.

Yours faithfully,

Land Development Commissioner,
Himachal Pradesh, Simla.

APPENDIX 'G'

Form of Notice to be issued under rule 11 (i) read with section 16 (i) of the Act

(UNDER CERTIFICATE OF POSTING)

To

Shri
Village..... P.O.....
District

Dear Sir(s)/Madam,

Kindly take notice that under section 16 of the Himachal Pradesh Land Development Act, 1954 read with rule 11(i) of Himachal Pradesh Land Development Rules, 1, and all staff working under and with me will enter upon your land bearing Khasra Nos.....

 and survey the land or do any act, or carry out any work in or on the land for the purpose of preparing, inquiring into or executing Land Development Scheme under the said Act.

Yours faithfully,

(Designation of the Officer.)

APPENDIX 'H'

Form of Order and Notice under rule 13 read with section 20 (2) of the Act
No.

OFFICE OF THE LAND DEVELOPMENT BOARD, HIMACHAL PRADESH, SIMLA

WHEREAS, the Land Development Board, Himachal Pradesh is satisfied that for purposes of executing the scheme for reclamation of waste land under section 5 of the Act it is necessary that temporary possession of waste land, details of which are given below, should be taken over
Khasra No..... area.....

IN ORDER, therefore, to execute the said scheme the Board, under section 20 (2) of the Himachal Pradesh Land Development Act, 1954 hereby direct that temporary possession of the said land be taken over by the Land Development Commissioner, Himachal Pradesh.

HE OR the Officer authorised by him shall enter upon the said land on the..... day of....., 19 . on behalf of the Government.

By order,
Sd./-
Chairman,
Land Development Board,
Himachal Pradesh.

APPENDIX 'I'

Form of Order of Declaration of Restoration of Possession of Land under section 23 of the Act

ORDER NO.....DATED

Having been satisfied that reclamation of the waste land given below has been completely executed according to the Scheme it is hereby declared under section 23 of the Himachal Pradesh Land Development Act, 1954 that the possession the said land shall be deemed to have been restored to the owners mentioned against the respective Khasra Nos..... with effect from the day of....., 19 .
19.....

- (1) Revenue village.....
- (2) Khasra No....
- (3) Area.....
- (4) Name of the owner.....
- (5) Name of owner's father.....
- (6) Rent payable by the tenant on account of use or occupation of land.

Provided that no tree shall be felled or cut from the area mentioned above without the permission in writing and hammer mark of the Forest Department and planting first at least 4 plants of the same species as desired to be cut. Provided further that browsing and grazing shall not be permissible and only cutting of grass will be allowed.

Land Development Commissioner,
Himachal Pradesh, Simla.

APPENDIX 'J'

Form of Ledger Account of individuals for maintaining accounts under section 25 of the Act read with Rule 16 for the lands taken over by the Land Development Commissioner

No. and Name of the Scheme.....
 Name of the owner/tenant.....
 Village.....
 Area
 Rate of compensation per year.....
 Authority under which fixed.....
 Share in the total expenditure on the Scheme.....

Date	Particulars	Folio	Dr.	Cr.	Balance
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By order,
 RAJ KUMAR, I.A.S.,
 Secretary.